



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

December 19, 2000



AUDIT FINDINGS

Michael Suisman
President
Danny Corporation
P.O. Box 370099
West Hartford, CT 06137-0099

RECEIVED

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DEPT. OF ENVIRONMENTAL PROTECTION
WASTE MANAGEMENT BUREAU
PESTICIDE, PCB, UST, TERMINAL DIV.

RE: **Verification Audit**
500 Flatbush Avenue
Hartford, Connecticut

Dear Mr. Suisman:

This letter is to notify you of the Final Audit Findings of the verification rendered by Russell W. Bartley, LEP, license # 104 on April 12, 2000. The verification was submitted to the Department of Environmental Protection (the Department) on April 17, 2000 in support of the filing of a Form III pursuant to Section 22a-134a(e) of the Connecticut General Statutes (CGS). The verification indicated that an investigation had been performed in accordance with prevailing standards and guidelines, and that the parcel had been remediated in accordance with Section 22a-133k1-3 of the Regulations of Connecticut State Agencies, also known as the Remediation Standard Regulations (RSRs).

On May 11, 2000, the Department notified John Lane, of Aerospace Metals, Inc., that pursuant to CGS Section 22a-133v(g), the Commissioner was conducting an audit of the investigation performed as a basis for the above referenced verification.

On July 13, 2000, an audit meeting was convened with Todd K. Walles, James J. Soukup and Russell W. Bartley. The purpose of the meeting was to discuss the verification in the context of the issues of concern identified by the Department during the audit process. The introduction of any additional information that would demonstrate that the above referenced parcel was investigated in accordance with prevailing standards and guidelines, and that compliance with the RSRs had been achieved, was allowed.

Based on the review of all available site information and the additional information presented during the audit meeting, the Department finds that the investigation conducted at the above referenced parcel was insufficient to determine compliance with the RSRs, and that specific clean-up criteria established in the RSRs were not achieved. Therefore, the April 12, 2000 LEP verification of the site is inappropriate.



The following issues regarding the investigation, remediation and monitoring of the parcel are deficient:

1. On February 9, 2000, prior to the rendering of the LEP site verification, a representative of the Department's Bureau of Water Management conducted an annual compliance evaluation at the site on behalf of the U. S. Environmental Protection Agency. The Department conducted a follow-up inspection at the site on June 30, 2000, after the LEP site verification. The following observations were noted during those inspections:

- The surface of an exterior storage pad located south of the main building was coated with oil liquid.
- Stained soil was observed at two storm water outfalls along the eastern property boundary.
- Oil liquid was observed emanating from the sidewall of a recent excavation south of the APS building indicating the presence of light non-aqueous phase liquids on the surface of the groundwater beneath the site.
- The paved surface west of the main building was soaked with oil.
- The floor of the aluminum tunnel located in the main building was saturated with oil and floor drains were present. The outfall of the floor drains is not known.
- A concrete walled vault located adjacent to the aluminum tunnel contained an unknown quantity of an unknown liquid.
- According to representatives of the current site operator, a groundwater and oil recovery trench located in the site subsurface is currently being maintained and operated. Reportedly, the oil collected in this trench contains PCBs at a concentration range of 200 – 300 parts per million (ppm).

Based on those observations, additional environmental investigation and remediation efforts are required at the site to comply with the RSRs.

2. In 1986, the Department entered into Consent Order No. 3677 with the former site operator, Suisman & Blumenthal. The Consent Order required, among other things, that the degree and extent of PCB contamination on-site be defined and remediated. In an effort to remediate the PCB laden oil liquid that was historically disposed of on-site, a trench was installed to recover oil and groundwater migrating toward the eastern boundary of the site. Because the interceptor trench is still actively remediating a source of PCB pollution on-site, the terms of Consent Order No. 3677 have not been fulfilled.

3. On April 10, 2000, an Environmental Land Use Restriction and Grant of Easement (ELUR) was recorded on the Hartford Land Records for the site. The Decision Document supporting that ELUR, which was approved by the Commissioner on March 17, 2000, states that the concentration of total petroleum hydrocarbons, PCBs and three semi-volatile organic compounds in soil on-site exceed the Residential Direct Exposure Criteria (RDEC) of the RSRs. However, the ELUR states that the concentrations of each of those contaminants are below the Industrial/Commercial Direct Exposure Criteria (I/C DEC). Therefore, the ELUR was recorded to restrict use of the site to industrial and commercial activities.

Based on the review of site information, the Department finds that the Decision Document contained inaccurate and misleading information. Specifically, the site soils do not comply with the I/C DEC due to the presence of oil liquid located approximately 2-4 feet below the site surface. Also, according to the current site operator, the oil liquid contains PCBs at concentrations exceeding the I/C DEC. Therefore the ELUR was inappropriately recorded on the land records.

4. The LEP site verification was accompanied by a report titled "Remediation Report, Aerospace Metals, Inc., 500 Flatbush Avenue, Hartford, Connecticut", dated October 1999, and prepared by Roy F. Weston, Inc. That report presents an alternative method of demonstrating compliance with the Pollutant Mobility Criteria (PMC) of the RSRs for semi-volatile organic compounds. Due to the presence of oil liquid in the site subsurface, the alternative method of demonstrating compliance with the PMC is inappropriate.
5. The LEP site verification contains a request that the Commissioner approve a waiver for the requirements of post-remedial groundwater monitoring at the site. That waiver was requested on the basis that "the groundwater table beneath the site is located in a tight clay unit and groundwater monitoring is not practicable". The verification was presented to the Department in anticipation of the Commissioner's approval of that request.

Section 22a-133k-3(g)3 of the RCSA identifies the minimum duration of post-remedial groundwater monitoring that is required at the site. A petition to deviate from the prescribed duration of groundwater monitoring may be considered by the Commissioner. However, the Commissioner's approval of an alternative groundwater monitoring program must be granted prior to an LEP rendering a site verification. Also, based on the Department's review of the site conditions, groundwater monitoring on-site is practicable and is therefore required.

6. The October 1999 report prepared by Roy F. Weston, Inc. presents an analytical solute transport model in an attempt to demonstrate compliance with the Surface Water Protection Criteria of the RSRs. This model does not meet the requirements for demonstrating compliance with the Surface Water Protection Criteria, pursuant to Section 22a-133k-3(b) of the RCSA.

Michael Suisman
RE: 500 Flatbush Avenue, Hartford

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In accordance with Section 22a-134a(h), please submit a new schedule for investigating and remediating the parcel, providing public notice prior to the remediation, and the submittal of technical plans and reports to the Commissioner within 30 days of your receipt of this notice.

If you have any questions or comments, please contact Raymond Frigon, Jr. of my staff at (860) 424-3797.

Sincerely,



Michael J. Harder, Director
Permitting, Enforcement &
Remediation Division
Bureau of Water Management

MJH/rif

c: Russell W. Bartley, R. W. Bartley & Associates, Inc.
Alan Kosloff, Esq. Kosloff & Harding
Kim Maiorano, CT DEP
Gilbert Richards, CT DEP
Robert Robinson, CT DEP
Lori Saliby, CT DEP
James Soukup, Roy F. Weston, Inc.
Todd Walles, Roy F. Weston, Inc.

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